



**The Comptroller General
of the United States**

Washington, D.C. 20548

Decision

Matter of: Garland F. Davis, Deceased - Reimbursement of
Widow for Shipment of Household Goods After Death
of Employee

File: B-226494

Date: November 7, 1988

DIGEST

Reimbursement may be allowed for the expenses of a household goods shipment initiated by the widow of the deceased employee pursuant to the authorized sale of their house at the old duty station in furtherance of an authorized transfer, notwithstanding that the employee died before the shipment was initiated.

DECISION

The question presented here is whether payment may be allowed in the case of a transferred employee for expenses incurred in undertaking an authorized household goods shipment that was not initiated until after the employee's death.^{1/} In the circumstances, we conclude that payment may issue to his widow as reimbursement for the cost of the shipment.

BACKGROUND

Mr. Garland F. Davis was transferred from the Veterans Administration (VA) Hospital in Marion, Illinois, to the VA Medical Center in Fayetteville, North Carolina, with a reporting date of July 22, 1986. At the time he and his wife resided in Marion. On June 27, 1986, the VA provided him with a written authorization to make the move from Illinois to North Carolina at government expense. This included authorization to ship up to 18,000 pounds of household goods using a Government Bill of Lading. When Mr. Davis reported for duty at the VA Medical Center in Fayetteville in July 1986, Mrs. Davis remained in Marion

^{1/} The question was presented by Conrad R. Hoffman, Director, Office of Budget and Finance (Controller), Veterans Administration.

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to sell their house which she did in early November 1986. Subsequently Mr. Davis died in Fayetteville on November 13, 1986. Mrs. Davis completed the sale of the residence on December 15, 1986, and because of the death of Mr. Davis, she rented an apartment in Olivette, Missouri, instead of proceeding to Fayetteville. In connection with the sale of her house, Mrs. Davis arranged for the shipment of her household goods to her newly rented apartment in Olivette at a cost of \$1,347.07, which she paid in full.

The concerned VA finance officer questions whether reimbursement for the shipment of household goods expenses may be allowed in these circumstances.

ANALYSIS AND CONCLUSION

There is no indication in the statute or regulations of any intent to deprive the survivors of a transferred employee of reimbursement for relocation expenses incurred after the employee's death where such expenses would have been reimbursable to the employee had he survived. In fact, both section 5724 and section 5724a of title 5, United States Code, provide for payment of various expenses of the "immediate family" of the employee who is transferred, thus recognizing that the government's obligation extends beyond the employee himself. See Michael Longo, 65 Comp. Gen. 237 (1986), wherein we held that although the household goods shipment was recalled because of the employee's death, this could not serve as a basis for disallowing reimbursement.

In the present case, the household goods shipment was undertaken pursuant to the sale of a residence at the old duty station by Mrs. Davis as the result of the VA's prior authorization of her husband's move from Illinois to North Carolina at government expense under the authority of 5 U.S.C. § 5724 (1982). Although no binding obligation had been entered into by the employee or his wife prior to the employee's death for the shipment of household goods, we do not find that this may serve as a basis for disallowing reimbursement of the expenses involved. Obviously the need of his wife to incur such expenses arose out of the transfer of Mr. Davis to Fayetteville and that need continued after he died. Since the purpose of the statute is to reimburse the expenses occasioned by the transfer of an employee, and since such expenses do not cease with his death, we do not regard the right to reimbursement for such expenses as ceasing with his death. See 24 Comp. Gen. 319 (1944).

Moreover, we do not regard it as material that the employee had not entered into a binding obligation or incurred the

expense before his death. As long as the expenses arose in connection with the transfer and would have been reimbursable to the employee, they may be allowed to the same extent as allowable to the employee if he had survived. Gerard Wijsmuller, B-183389, Nov. 24, 1975.

The fact that the shipment was not to the new duty station is not significant. Reimbursement of transportation expenses to a place other than the new duty station is authorized by para. 2-8.2d of the Federal Travel Regulations, FPMR 101-7, September 1981, incorp. by ref., 41 C.F.R. § 101-7.003 (1986). However, reimbursement is limited to the constructive cost of shipping the goods to the new station. William O. Simon, Jr., B-207263, Apr. 14, 1983.

Mrs. Davis also claims additional reimbursement because she brought her own boxes and did her own packing. Accordingly, she feels she is entitled to the full estimated cost of \$1,973.88. However, there is no authority for an allowance for services voluntarily provided by an employee or member of his family even though the expense of such service would be reimbursable if provided by an authorized carrier. Although Mrs. Davis's efforts may have relieved the carrier of the need to pack certain of the household effects being transported and may have incidentally effected a savings to the government, it appears that Mrs. Davis voluntarily rendered those services without authority to obligate the government for whatever sums may be involved. Alex Kale, 55 Comp. Gen. 779 (1976).

Accordingly, we conclude that the household goods shipment expense of \$1,347.07 incurred by Mrs. Davis is allowable in accordance with 5 U.S.C. § 5724 and the implementing regulations.

for Milton J. Fowler
Comptroller General
of the United States